



**Attachment A**

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2. Are you represented by counsel? ☐ Yes ☒ No

If you answered yes, list your counsel's name and address: \_\_\_\_\_

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3. List the name and location of the court which imposed your sentence:

U.S. District Court

District of Maryland (Baltimore)

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4. List the case number, if known: 1:11-CR-00619-WDQ-4

5. List the nature of the offense for which the sentence was imposed:

21 U.S.C. § 846 - Conspiracy to Distribute and Possess with the Intent  
to Distribute Narcotics

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6. List the date each sentence was imposed and the terms of the sentence:

October 2, 2012, the court imposed a sentence of 180 months in Federal  
Prison followed by 5 years of Supervised Release.

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7. What was your plea to each count? (Check one)

- ☒ Guilty  
☐ Not Guilty  
☐ Nolo Contendere

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8. If you were found guilty after a plea of not guilty, how was that finding made?

- ☐ A jury  
☐ A Judge without a jury  
☐ A Magistrate Judge without a jury

9. Did you appeal from the judgment of conviction or imposition of the sentence?

☐ Yes ☒ No

10. If you did appeal, give the following information for each appeal:

- A. Name of Court: N/A  
 B. Result: N/A  
 C. Date of Result: N/A  
 D. Grounds raised (List each one): N/A  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Note: if you filed an appeal in more than one court, attach an additional sheet of paper of the same size and give all of the information requested in Question 10, A through D.

11. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any court, state or federal? This is called a post-conviction pleading.

☒ Yes ☐ No

If your answer was yes, complete the following sections:

A. First post-conviction proceeding:

1. Name of Court: U.S. District Court-Maryland (Baltimore)

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2. Nature of Proceeding: § 2255 Motion
3. Grounds Raised: Claim pursuant to Johnson v. U.S. 13355 S.Ct.
4. Did you receive an evidentiary hearing ? ☐ Yes ☒ No
5. Result: Dismissed without prejudice
6. Date of Result: 7-21-2017

## B. Second post-conviction proceeding:

1. Name of Court: U.S. District Court
2. Nature of Proceeding: 18 U.S.C. § 3582(c)(2) Motion
3. Grounds Raised: Request for a sentence reduction
4. Did you receive an evidentiary hearing ? ☐ Yes ☒ No
5. Result: Denied
6. Date of Result: 7-21-2017

## C. Did you appeal to the result of the post conviction proceeding(s) to the highest court having jurisdiction?

1. First proceeding: ☐ Yes ☒ No Result: \_\_\_\_\_
2. Second proceeding: ☐ Yes ☒ No Result: \_\_\_\_\_

D. If you did not appeal the adverse result of the post-conviction proceeding(s), explain briefly why not: An appeal would have been without merit.

12. For your information, the following is a list of the most frequently raised grounds for relief in applications for habeas corpus pursuant to 28 U.S.C. §2241. You may raise any grounds which you may have other than those listed. However, in this application, you should raise all available grounds on which you base your petition. **Do not check** any of these listed grounds. If you select one or more of these grounds for relief, you must allege facts. **The petition will be returned to you if you merely check one or more of the grounds:**

- A. U.S. Parole Commission unlawfully revoked my parole.
- B. Federal Bureau of Prisons unlawfully computed my sentence.

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- C. Federal Bureau of Prisons unlawfully denied me credit for time served in state or federal prison.
- D. Federal Bureau of Prisons or State prison system unlawfully revoked my good time credits.
- E. There is an unlawful detainer lodged against me.
- F. I am a citizen and resident of a foreign country and I am in custody for an act which I had a right to commit under the laws of my country.
- G. The act for which I was convicted is no longer considered to be a crime, and I cannot raise this issue in a §2254 petition or a §2255 motion.

**CAUTION: if you fail to set forth all of the grounds in this petition at this time, you may be barred from presenting additional grounds at a later date.**

State clearly every ground on which you are seeking relief. Summarize briefly the facts supporting each ground. If necessary, attach a total of five (5) typed or ten (10) neatly printed pages maximum for all grounds and all attachments.

A. Ground one:

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Supporting facts: tell your story briefly without citing cases or law. You are cautioned that you must state facts, not conclusion, in support of your grounds. A “rule of thumb” to follow is this: who did exactly what to violate your rights at what time and place).

I was sentenced pursuant to Rule 11(c)(1)(c) based upon the career  
offender enhancement. Based on changes in substantive law I am no  
longer a career offender, and therefore under Wheeler I am entitled  
to be resentenced.

B. Ground two:

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N/A

Supporting facts:

N/A

C. Ground three:

N/A

Supporting facts:

N/A

D. Ground four:

N/A

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Supporting facts:

N/A

13. Were all of the above grounds presented to another court, state or federal? If not, state which grounds were not presented. If yes, state the name of the court, date of decision, and the nature of the outcome:

These grounds were not previously presented in any court.

14. If this petition concerns prison disciplinary proceedings, a parole problem, computation of sentence, or other case under 28 U.S.C. § 2241, answer the following questions:

- A. Did you present the facts in relation to your present petition in the prison's internal grievance procedure?

☐ Yes ☐ No

1. If your answer to "A" above was yes, what was the result:

N/A

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2. If your answer to "A" above was no, explain:

N/A

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B. If you are a federal prisoner, did you present your claim to the Bureau of Prisons or other federal agency for administrative action?

☐ Yes ☐ No

1. If your answer to "B" above was yes, what was the result:

N/A

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2. If your answer to "B" above was no, explain:

N/A

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15. Relief: State here, as briefly as possible, exactly what you want the court to do for you:

1. Make **no** legal arguments.

2. Cite **no** cases or statutes.

I am requesting the court vacate my sentence.

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16. If a previous motion to vacate or modify a prisoner's sentence, pursuant to Section 2255, was not filed, or if such a motion was filed and denied, the reasons why Petitioner's remedy by way of Section 2255 is inadequate or ineffective to test the legality of the detention.

This claim was not ripe to be filed during the time of my direct appeal  
and initial § 2255 period, and cannot be filed under § 2255(h)(2). It  
is properly presented via § 2241 based on Wheeler.

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Signed this 5th day of March, 2019.  
(day) (month) (year)

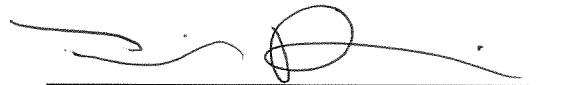


\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Signature of Attorney (if any)

I declare (or certify, verify, or state), under penalty of perjury, that the foregoing is true and correct.

Date of Signature: March 5, 2019



\_\_\_\_\_  
Your Signature

Attachment D

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Timothy LEE DENNISON

FCT-Hazleton  
Your full name

v.

Civil Action No.: \_\_\_\_\_

Frederick Entzel


Warden, FCI Hazleton

\_\_\_\_\_  
Enter above the full name of respondent in this action

Certificate of Service

I, Timothy Dennison (your name here), appearing *pro se*, hereby certify that I have served the foregoing § 2241 Petition (title of document being sent) upon the respondent by depositing true copies of the same in the United States mail, postage prepaid, upon the following counsel of record for the respondent on March 6<sup>th</sup> 2019 (insert date here):

(List name and address of counsel for respondent)

  
(sign your name)